

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL NO. 1:05CV273**

**THIS MATTER** is before the Court on the Defendant's motions to renew its motion for summary judgment and for an extension of time in which to submit pretrial materials. No response is necessary from the Plaintiff.

For the reasons set forth in the motion to renew and for cause shown,

**IT IS, THEREFORE, ORDERED** that the Defendant's motion to renew its motion for summary judgment is **ALLOWED**, and the Plaintiff has to and including **SEPTEMBER 11, 2006**, in which to respond to the

Defendant's motion for summary judgment filed April 13, 2006, and renewed by this Order.

**IT IS FURTHER ORDERED** that this case is continued from the September 2006 trial calendar and the pretrial conference scheduled for Tuesday, August 29, 2006, is likewise cancelled.

**IT IS FURTHER ORDERED** that, in view of the continuance from the September 2006 trial calendar, Defendant's motion for an extension of time is **DENIED** as moot.

Signed: August 24, 2006



Lacy H. Thornburg  
United States District Judge

